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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant:	David Rudd, et al.	Group Art Unit:	1773
Serial No:	10/075,683	Examiner:	Vivian Chen
Filed:	February 14, 2002	Confirmation No.:	2660

RECEIVED
OCT 29 2003
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Atty Docket No.: A1019/20302

For: **BIAXIALLY ORIENTED POLYPROPYLENE FILMS CONTAINING A NON-CRYSTALLIZABLE, AMORPHOUS POLYESTER LAYER, AND METHOD OF MAKING THE SAME**

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response to Restriction Requirement is in response to the Office Action dated September 30, 2003.

The Response begins on page 2 of this paper.

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RESPONSE

The Examiner required restriction to one of two inventions:

- ✓ I. Claims 1-35, drawn to a method of making a first multi-layer film; or
- ✓ II. Claim 36, drawn to a second multilayer film.

✓ Applicant elects the invention of Group I (claims 1-35) without traverse.

The Examiner then indicated that there are categories (a) - (c) of distinct species:

- (a) location of opacifying pigments in the core layer:
 - ✓ (1) opaque polypropylene film layer (claims 16-20); and
 - (2) mineral-free polypropylene film layer, opaque tie layers (claims 21-24);
- (b) composition of first tie layer:
 - (1) ester (claim 27);
 - (2) carboxylic acid or carboxylic acid anhydride (claims 28-29);
 - ✓ (3) ethylene-ester-carboxylic acid terpolymer (claims 30-32); and
 - (4) polyolefin adhesive (claim 34); and
- (c) type of terpolymer if species (b)(3) is elected:
 - (i) grafted terpolymer (claim 31) and
 - ✓ (ii) main chain terpolymer (claim 32).

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The Examiner stated that the applicant is required to elect a single disclosed species in each category (a)-(b) and, if species (b)(3) is elected, a single disclosed species in category (c) for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner states that, currently, claims 1-15, 25-26, 33, 35 and 36 are generic.

With respect to category (a), applicant elects the species of category (a)(1), directed to claims 16-20, without traverse.

With respect to category (b), applicant elects the species of category (b)(3), directed to claims 30-32, without traverse.

With respect to category (c), applicant elects the species of category (c)(ii), directed to claim 32, without traverse.

It is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

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Should the Examiner believe that anything further is required to respond to this
Restriction Requirement, the Examiner is invited to contact Applicants' undersigned attorney at
the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

October 24, 2003

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Please charge or credit our Account
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